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PATENT

Attorney Docket : 034164.002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Nicholas Russell, et al.

Confirmation No.: 6771

U.S. Serial No.: 10/522,809

Group Art Unit: To Be Assigned

Filed: January 31, 2005

Examiner: To Be Assigned

For: ANIMATED MESSAGING

**DECLARATION OF NICHOLAS RUSSELL IN SUPPORT OF
ONE CO-INVENTOR SIGNING ON BEHALF OF ANOTHER**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED

Dear Sir:

20 JAN 2006

I, Nicholas Russell, declare as follows:

Legal Staff
International Division

1. I am a co-inventor of the inventions described and claimed in this application. Based on my understanding of the patent law of the United States of America, I believe that Nicholas Russell, Anton Felich and James Jenkins are co-inventors of inventions described in the specification and the claims as originally filed in the United States Patent and Trademark Office.

2. I am presently employed by InChain Pty Ltd Pty Ltd. (assignee of this application). My address is care of InChain Pty Ltd of 1270 Ferntree Gully Road, Scoresby Road, VIC 3179, Australia.

SGRDC242676.1

3. At the time we made the inventions described in this application, I, Nicholas Russell, and Anton Felich were employed by E-Clips Intelligent Agent Technologies Pty Ltd, which was subsequently purchased by InChain Pty Ltd.

4. I have read the Notification Of Missing Requirements under 35 U.S.C. 371 in The United States Designated/Elected Office (DO/EO/US).

5. I understand that the U.S. Patent and Trademark Office requires the signature of each inventor on the Declaration/Power Of Attorney and Assignment forms.

6. My co-inventor Anton Felich has been presented with a declaration and an Assignment related to this patent application and refuses to sign those documents.

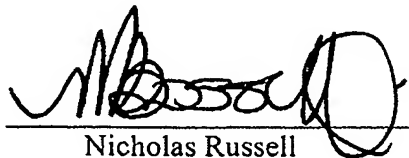
7. Anton Felich is no longer employed by InChain Pty Ltd.

8. Declaration and Assignment forms for this application were forward to Anton Felich for his signature in February 2005. However, after at least three telephone calls and a plurality of email reminders some of which are dated March 9, 2005, April 6, 2005 and May 24, 2005 Anton Felich advised that he refuses to sign the Declaration and Assignment on the advice of counsel.

9. I Nicholas Russell, am the only co-inventor still associated with InChain Pty Ltd and have signed the Declaration and Assignment on behalf of Anton Felich.

10. I declare, under penalty of the perjury laws of the United States, that all statements made herein of my own knowledge are true and that all statements made based on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or

both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.


Nicholas Russell

21.11.05
Date